

3/14/08

SPEX 2006-____,0035, Alford Tower

Amended Conditions of Approval
For SPEX 2005-0022, E.A.R. Ltd.



1. These conditions fully replace the conditions of SPEX 2005-0022. The proposed use, a telecommunications tower with antennas, accessory equipment, and unmanned structures, shall be developed in substantial conformance with the Special Exception Plat (the "Plat"), prepared by Dewberry & Davis LLC, dated March 25, 2005, September 22, 2006, as revised through February 16, 2006, and March 14, 2008, and with the Loudoun County Zoning Ordinance. Approval of this application does not relieve the Applicant of any Zoning Ordinance or any other regulatory requirement.
2. ~~The applicant will maintain all existing trees within a 200-foot perimeter of the proposed telecommunications compound as depicted on the plat.~~
2. 3. No lighting will be provided as part of this application unless otherwise directed by the County or FAA.
4. ~~The property owner shall not construct any buildings or improvements on the Property, other than landscaping as may be approved by the County, within 90 feet of the Belmont Ridge Road (Route 659) centerline, as shown on the Plat. Such reserved area of the Property shall remain available for right of way dedication and related easements until the right of way area required from the Property for the planned expansion of Belmont Ridge Road is determined by alignment studies and/or road improvement plans approved by VDOT and the County. The property owner shall dedicate said determined right of way and grant any related easements at no cost to the County upon the request of the County.~~
- 5.
3. The applicant shall provide a secondary access point to the site from Alford Road (Route 646). This access will become the primary access point upon completion of the ultimate improvements to Belmont Ridge Road (Route 659) tower compound from Belmont Ridge Road, in accordance with the Concept Development Plan for ZMAP 2005-0024, Belmont Overlook.
4. 6. The existing service driveway shall be provided with a 40 foot wide private access easement and shall be gated at its Belmont Ridge Road entrance. The existing service driveway and parking areas within the tower compound will be maintained with crushed stone or other pervious material.
7. ~~The applicant will maintain any portion of the property located within the 300-foot setback from Beaverdam Reservoir as open space. No construction or grading can take place within the 300-foot reservoir setback.~~

- ~~8. The applicant shall make space available on the telecommunications tower to the County for the collocation of an antenna and associated equipment used by Loudoun County's public service agencies. The cost of all such equipment including installation costs shall not be the responsibility of the applicant.~~
- ~~5. 9.-No carrier shall be allowed to locate at a height greater than 199 feet without providing substantial proof of need, which will be reviewed by the County through an amended special exception.~~
- ~~6. 10.-The applicant or its successors shall remove all unused related telecommunications structures and facilities from the site, including the communication tower and associated equipment structures within 90 days of cessation of use or the expiration of the ground lease, whichever occurs first, and restore the site as closely as possible to its original condition.~~
- ~~11. The site entrance shall be constructed to meet VDOT entrance requirements prior to issuance of occupancy permits.~~
- ~~7. 12.-The applicant shall maintain the tower in athe existing neutral color so as to blend with the natural sky.~~
- ~~8. 13.-Any building installed in connection with this use shall include such fire extinguishing systems as may be required by the Fire Marshall prior to application for a certificate of occupancy for such buildings and shall comply with the structure area and height requirements of Section 5-618(C)(3)(f).~~
- ~~14. The applicant shall coordinate with the Health Department to determine if a wastewater disposal system is necessary for the facility.~~
- ~~9. 15.-The applicant will provide a Type 4 buffer surrounding the proposed, as described on Sheet SE2 of approved SPAM 2002-0045, within the "Limit of Special Exception Cell Tower Compound" depicted on the Plat.~~
- ~~16. The applicant will provide a forest management plan for review by County staff at time of site plan submission.~~
- ~~10. 17.-All plantings provided as part of this application shall be native Loudoun County vegetation.~~
- ~~18. All required zoning permits and any related ministerial applications for any and all antennae currently on the tower shall be applied for within 90 days of the date of approval of this special exception.~~
- ~~19. Failure to comply with these conditions may lead to revocation of this special exception pursuant to §15.2-2309.7 of the Code of Virginia.~~

Note: The Applicant has agreed to provide a one time fire and rescue contribution to the County in the amount of \$0.10 per square foot of non-residential floor area construction for equal distribution between the primary fire and rescue servicing companies. This contribution shall be made at the time of issuance of the applicable zoning permits. This contribution shall escalate annually from the base year of 1988 and change effective each January 1st thereafter, based on the Consumer Price Index (CPI).

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**BELMONT OVERLOOK
ZMAP 2005-0024
PROFFER STATEMENT
~~February 21,~~ March 14, 2008**



Pursuant to Section 15.2-2303, Code of Virginia (1950), as amended, and Section 6-1209 of the Revised 1993 Loudoun County Zoning Ordinance, as amended (the "Zoning Ordinance"), K. Hovnanian Homes of Virginia, Inc., the owner of property described as Loudoun County Tax Map 78, Parcel 17 (PIN 157-36-4725); Angler Broadlands LLC, the owner of property described as Loudoun County Tax Map 78, Parcel 14 (PIN 157-45-8152), of which approximately 30.3 acres are to be rezoned; Evan Alford, the owner of property described as Loudoun County Tax Map 78, Parcel 14B (PIN 157-45-8611), of which approximately 0.2 acres are to be rezoned; and Andrew Lawless, IV, and Yvette Lawless, the owners of property described as Loudoun County Tax Map 78, Parcel 16 (PIN 157-36-2868) (collectively referred to as the "Owner"), as Owner of the aforementioned parcels, each of which is either completely or partially included in the area of this rezoning application, as more specifically identified on the Rezoning Plat (Sheet 2 of the ZMAP 2005-0024 application plans) (collectively referred to as the "Property"), on behalf of itself and its successors in interest, hereby voluntarily proffers that the development of the Property subject to ZMAP 2005-0024 shall be in substantial conformity with the proffers as set forth below.

All proffers made herein are contingent upon approval of (i) ZMAP 2005-0024 and the rezoning of the Property to the PD-H4 Planned Development-Housing zoning classification under the Zoning Ordinance, (ii) the Concept Development Plan, as defined below and included by reference in Exhibit A, and (iii) the Zoning Ordinance Modifications included in Exhibit B.

I. CONCEPT DEVELOPMENT PLAN

The development of the Property shall be in substantial conformity with the Concept Development Plan (included by reference as Exhibit A), identified as Sheet 3 of the Belmont Overlook Zoning Map Amendment Application plans dated May 16, 2005 and revised through ~~February 21,~~ March 14, 2008, prepared by Dewberry (the "CDP"). In accordance with Section 6-1209(F) of the Zoning Ordinance, minor adjustments to the locations of the proposed uses, facilities and improvements shown on the CDP shall be permitted to address grading, drainage, environmental, cultural and natural features, development ordinance requirements, and other final engineering considerations, and to accommodate the recommendations of archaeological studies.

II. DEVELOPMENT SCOPE

Development of the Property will include a maximum of 149 single-family attached residential units, including required Affordable Dwelling Units ("ADUs"), along with related privately owned community facilities and amenities. Notwithstanding the unit mix depicted on the CDP, the Owner may convert up to 8 of the proposed quadraplex/duplex units to townhouse

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~~units at the time of site plan application.~~ The residential units will be a mix of townhouse, duplex and quadraplex units—, ~~and the required ADUs will be interspersed among the proposed townhouse units, with related privately owned community facilities and amenities.~~ The Property will be developed using public water and sewer with such facilities provided to the Property at no cost to Loudoun County or to the Loudoun County Sanitation Authority.

III. RECREATIONAL AMENITIES, SIDEWALKS AND TRAILS

The Owner shall provide active and passive recreational amenities within the Property, ~~as in the approximate locations shown on the CDP.~~ The active recreational amenities will include two playgrounds/~~tot lots~~ and two sports courts. The passive recreational amenities will include gazebos with picnic areas. ~~These~~The amenities located south of Alford road will be constructed ~~in conjunction with the development of the adjacent residential areas to ensure that the amenities will be available for the residents and open for use prior to the issuance of the 10th residential occupancy permit for the residential units located south of Alford Road.~~ The amenities located north of Alford Road will be constructed and open for use prior to the issuance of the 100th residential occupancy permit for the residential units located north of Alford Road. Sidewalks of 5 feet in width will be provided on all internal streets and in front of all residential units. A 10-foot wide asphalt trail, within a 12-foot wide public access easement, will be constructed along Route 659, as shown on the CDP. This trail will be constructed prior to the issuance of the 100th residential zoning permit for the Property, provided that the final design for the ultimate widening of Route 659 has been approved at that time and is consistent the CDP. In the event final design plans for Route 659 have not been approved prior to the issuance of the 100th residential zoning permit, the Owner shall, at the direction of the County, either construct the trail and dedicate the public access easement or contribute \$45,000 to the County for the trail prior to the issuance of the 100th residential zoning permit and shall ~~and~~ dedicate a 12-foot wide public access easement for the trail upon the request of the County.

IV. HOME OWNERS ASSOCIATION

A. HOA General Responsibilities

All property owners in Belmont Overlook shall be members of the Home Owners Association ("HOA") established to regulate use and provide standards for the construction, landscaping and use of privately owned land and structures within the Property. The HOA shall provide landscaping and lawn maintenance for all common areas and snow removal on all private streets, and shall contract for trash removal services. The HOA shall be responsible for the maintenance of all common recreational facilities and buildings, all stormwater management facilities, all private streets, and all sidewalks and trails not otherwise maintained by the Virginia Department of Transportation ("VDOT").

B. Establishment of HOA

Prior to the approval of the first record plat or first site plan, whichever is first in time, for Belmont Overlook, draft documents for the establishment of the HOA shall be submitted to the County for review and approval. The HOA shall be established prior to the approval of the first

record plat or first site plan for the Property, whichever is first in time.

V. TRANSPORTATION

A. Belmont Ridge Road (Route 659)

1. The Owner shall dedicate, at no cost to the County ~~60 feet of right-of-way, increasing in width for turn lanes, measured from the portion of the Property which lies within sixty (60) feet of the "Ultimate C/L Alignment" for Route 659~~659, as shown on the CDP for the widening of Route 659, by others, to the six lane divided road section recommended by the Countywide Transportation Plan. This dedication shall include additional right-of-way, as needed, to include turn lanes. The Owner shall dedicate the right-of-way in conjunction with the approval of the first residential site plan or record plat for the Property, whichever is first in time. The Owner shall also grant all necessary construction and maintenance related easements associated with such widening. The Owner will dedicate this right-of-way at the request of the County in the event plans for the widening of Route 659 are approved prior to the development of the Property, ~~provided that the Owner is satisfied~~ that such road plans are consistent with the CDP and that all plats and deeds for such dedication are prepared and recorded by others.

2. In the event the final design plans for the widening of Route 659 to a six lane divided road section require additional right-of-way from the Property for such widening, the Owner shall dedicate up to an additional 30 feet of right-of-way, at no cost to the County, from the edge of the dedicated right-of-way referenced above. The Owner shall, within 30 days of receipt of a written request by the County, execute dedication plats and deeds prepared by others for such additional right-of-way, and return the plats and deeds to the applicable party for recordation. The Owner shall design and construct the required landscaped berm along Route 659 in a location that will minimize impacts to the berm should such additional right-of-way be required.

3. Provided that Route 659 has not been widened prior to the approval of the first record plat or site plan, whichever occurs first, the Owner shall construct turn lanes on the existing 2-lane section of Route 659 to provide access to the main entrance to the Property as shown on the CDP. The turn lanes shall be constructed in conjunction with the first residential site plan or record plat approved for the Property, whichever is first in time.

B. Alford Road (Route 646)

1. The Owner shall dedicate right-of-way along Alford Road to provide a 50-foot wide right-of-way for a realignment of Alford Road, as shown on the CDP. The Owner shall be responsible for the acquisition of any right-of-way required from PIN: 157-45-8611. The Owner shall dedicate the right-of-way in conjunction with the approval of the first residential site plan or record plat, whichever is first in time, for the portion of the Property located south of Alford Road.

2. The Owner shall improve Alford Road from Route 659 to the entrance to the portion of the Property located on the south side of Alford Road to a 20-foot wide, 2-lane rural section road, including turn lanes on Route 659. These improvements shall be constructed in

conjunction with the first residential site plan or record plat, whichever is first in time, approved for the portion of the Property located on the south side of Alford Road.

C. Regional Transportation Improvement for Route 659

The Owner shall improve the existing two-lane section of Route 659 between Alford Road and the terminus of the four-lane section of Route 659 to the south to provide a two-lane road section that conforms with current VDOT standards. This improvement shall be open to traffic, but not necessarily accepted for maintenance by VDOT, prior to the issuance of the 75th residential zoning permit for the Property.

Alternatively, if requested directed by the County upon receipt of written notice from the Owner prior to the submission of construction plans for the improved two-lane section of Route 659, the Owner shall, in lieu of the construction of the improved two-lane section of Route 659, contribute \$2,500,000 to the County to be used for regional transportation improvements within the Ashburn Community of the Suburban Policy, as described in the Revised General Plan. This contribution shall be made prior to or in conjunction with the issuance of the 75th residential zoning permit for the Property. The Owner shall notify the County a minimum of 60 days prior to the submission of the construction plans.

D. Transit Capital Costs Contribution

The Owner shall contribute \$750 per unit to the County to be used at the discretion of the Board of Supervisors for the purchase of transit buses, for other transit-related capital projects, or for regional transportation improvements in the Ashburn Community of the Suburban Policy Area, as defined in the Revised General Plan. This contribution shall be made prior to or in conjunction with the issuance of each residential zoning permit.

E. Traffic Signal Contribution

The Owner shall also contribute \$175 per unit to the County for a traffic signal to be located, as determined by the County, at the Property entrance on Route 659, or at the intersection of Route 659 and Alford Road, or at another intersection on Route 659 between Truro Parish Road and Ryan Road. This contribution shall be made prior to or in conjunction with the issuance of each residential zoning permit.

F. Cell Tower Lot Secondary Access

The "Secondary Access to Cell Tower Lot", as depicted on the CDP, shall be constructed prior to the issuance of the 100th residential zoning permit for the Property.

VI. CAPITAL FACILITIES AND OPEN SPACE CONTRIBUTIONS

A. Capital Facilities Per Unit Contribution

The Owner shall make a per unit capital facilities contribution of \$13,666. Said contribution shall be paid to the County prior to or concurrent with the issuance of each residential zoning permit.

B. Open Space Contribution

The Owner shall make a per unit open space contribution of \$500. Said contribution shall be paid to the County prior to or concurrent with the issuance of each residential zoning permit.

VII. ENVIRONMENT

A. Tree Conservation Areas

1. The Owner shall establish Tree Conservation Areas in the locations shown on the CDP. Clearing in these areas shall be permitted only for the construction of utilities and storm water management facilities, and any such clearing shall be limited to the minimum area required for said construction. A minimum of 80% of the canopy within the cumulative Tree Conservation Areas shown on the CDP will be preserved. In the event that the 80% canopy threshold cannot be achieved within the designated Tree Conservation Areas, such lost canopy will be provided elsewhere on the Property in locations to be determined by the Owner in consultation with the County Urban Forester.

2. Construction plans shall clearly define the limits of the Tree Conservation Areas so that any tree to be saved shall be at least 25 feet from any proposed residential unit and all such Tree Conservation Areas shall be clearly marked in the field. Tree protection fencing and super silt fence shall be placed outside the drip lines along the Tree Conservation Areas prior to commencing land-disturbing activities. In the event any trees of 8¹/₂-inch caliper or greater in the Tree Conservation Areas are damaged due to construction activities and need to be removed (as determined by the Owner's certified arborist), the Owner shall replace each such tree with two trees of 2¹/₂ to 3-inch caliper. The species and location of such replacement trees shall be determined by the Owner's certified arborist or landscape architect, in consultation with the County Urban Forester. The Owner reserves the right to remove, in consultation with the County Urban Forester, any dead, damaged, dying or diseased trees and vegetation, and any tree or vegetation that interferes with the construction, proper functioning and/or use of any utility or drainage easement, or creates a danger to property or persons. A tree conservation plan will be submitted for County review and approval with the first construction plans and profiles or site plan application for the Property, whichever is first in time, as required by the Facilities Standards Manual. The Tree Conservation Areas shall be protected by Tree ~~Conservation~~Preservation Easements granted to the County and recorded with the applicable record plats. The Owner will adhere to the approved tree conservation plan and will include a covenant in the HOA documents to ensure that the HOA will be required to adhere to the tree conservation plan and will not amend such tree protection covenant without the approval of the County. Such covenant shall not prohibit the performance of forest management techniques by a professional forester or certified arborist that ~~are~~are necessary to protect or enhance the viability of the canopy. Such techniques may include, without limitation, pruning and removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead or are considered a hazard to life or property.

B. Storm Water Management

~~In addition to the possible Storm Water Management facilities for the Property shall be located in one or more of the sites shown on the CDP as "possible SWM/BMP".~~ In addition to the possible SWM/BMPs shown on the CDP, the Owner shall incorporate feasible low-impact design measures, in accordance with the Facilities Standards Manual, in the design/development of the Property's storm water management plan. The Owner shall provide over-sized silt ponds and super silt fence during the development of the Property, and post-construction BMP trenches that are consistent with the recommendations of LCSA's Source Water Protection Program for Goose Creek.

C. Noise Impact Study

The Owner will provide a noise impact study to the County that will determine the need for any additional buffering and noise attenuation measures along the Route 659 frontage of the Property. The noise impact study shall address the noise generated by the traffic from Route 659 at the time of build-out of the Property and when Route 659 is built to its planned six-lane configuration. This noise impact study will be conducted by a certified professional engineering firm and submitted to the County concurrently with the first site plan or record subdivision plan (not preliminary subdivision plan) for the Property, whichever is first in time. If it is determined that the noise impacts will exceed the recommended noise levels contained in the Revised General Plan and the revised Countywide Transportation Plan, the Owner will provide buffers, berms greater than 4 feet in height, fencing, or other such noise attenuation measures along Route 659 sufficient to mitigate the noise impact from this roadway and ensure conformance with said noise levels prior to the issuance of occupancy permits for any dwelling units impacted by the noise levels.

D. Water Quality Educational Information

1. ~~At the time of property settlement, The HOA documents shall include provisions requiring the distribution of water quality educational information to all contract purchasers of homes constructed in the Property shall be provided with information regarding property owner management practices that will protect water quality. This documentation will at the time of property settlement. The HOA documents shall require the water quality educational information~~ to (i) incorporate a statement that it is unlawful to dispose of petroleum products in the storm drainage system, and (ii) include information regarding safe disposal of petroleum products.

2. All storm drainage inlet structures on the Property shall be marked to indicate that they drain to the Beaverdam Reservoir and that no dumping into such inlet structures is permitted. The HOA documents shall include provisions requiring the HOA to maintain such markings. Covenants in the HOA documents shall restrict the use of pesticides, herbicides and fertilizers to those materials that have rapid decomposition characteristics and are labeled safe for aquatic use.

E. Geographic Information System (GIS) Information

The Owner will provide digital data to the County for the Property's approved wetland delineation and the cultural resources features identified on the submitted archaeological reports

prior to, or in conjunction with, the first site plan or preliminary subdivision plan application, whichever is first in time.

VIII. EMERGENCY SERVICES

A. Fire and Rescue Contribution

At the time of the issuance of each residential zoning permit, a one-time contribution of \$120.00 per unit for each residential unit shall be paid to the County for distribution by the County to the primary volunteer fire and rescue companies providing service to the Property. Said contribution shall escalate on a yearly basis from the base year of 1988 and change effective each January 1 thereafter, based on the Consumer Price Index as published by the Bureau of Labor Statistics, U.S. Department of Labor, for the Washington-Baltimore, MD-VA-DC-WV Consolidated Metropolitan Statistical Area (the "CPI"). For the purpose of this Section, a residential unit includes each single family attached dwelling unit. Contributions pursuant to this paragraph shall be divided equally between the primary servicing fire and rescue companies providing service to the Property. Notwithstanding the foregoing, at such time as the primary fire or rescue services to the Property are no longer provided by incorporated volunteer companies, the obligation to make the contributions listed within this paragraph shall cease. The intent of these provisions is to support a volunteer fire and rescue system so long as a volunteer system is the primary provider of fire and rescue services to the Property. If only one of these services ceases to be provided by a volunteer company, then the contribution shall be halved and shall continue to be provided to the remaining volunteer company.

B. Sprinkler Systems

Provided that the public water system is capable of delivering the requisite service pressures to support sprinkler systems, the Owner shall require all builders to offer sprinkler systems in homes served by the public water system as an option to all purchasers and to provide a copy of the option list to the County. Builders shall not be required to install such sprinkler systems unless the purchasers choose to exercise such option prior to the start of construction and pay the sales price of the options associated with the purchase and installation of the sprinkler system.

C. Emergency Vehicle Access

The Owner shall provide all-weather, gravel compacted access for emergency vehicles, acceptable to the Fire Marshal, to all portions of the Property under construction, no later than the framing stage of construction. In addition, the Owner shall construct two permanent emergency access entrances, each designed to support the weight and width of emergency vehicles, in the locations indicated on the CDP. Each emergency access entrance shall be constructed prior to the issuance of the first residential occupancy permit for the area to be served by the entrance.

IX. GARAGE SPACE CONVERSION RESTRICTION

Prior to the approval of the first record plat or site plan for the Property, whichever is first in time, the Owner shall record a restrictive covenant against the Property, as part of the applicable HOA documents, that precludes the conversion of any garage space in a residential unit to any use other than the storage of vehicles.

X. UNMET HOUSING NEEDS CONTRIBUTION

The Owner shall contribute \$200 for each market rate unit, either to the County or to a third party designated by the County, to be used to assist qualified applicants with a household income of up to 100% of the Washington Metropolitan Area Median Income obtain housing in Loudoun County. This contribution shall be made prior to or in conjunction with the issuance of each market rate residential zoning permit.

XI. ESCALATOR

Unless otherwise specified, all cash contributions enumerated in these proffers shall be subject to an annual escalator based on the CPI with a base year of 2008. This escalator shall take effect on January 1 of 2009 and change effective each January 1 thereafter.

The undersigned hereby warrant that all owners with a legal interest in the Property have signed this Proffer Statement, that they, together with the others signing this document, have full authority to bind the Property to these conditions, and that the Proffers are entered into voluntarily.

K. HOVNANIAN HOMES OF VIRGINIA, INC.
a Virginia corporation (owner of TM 78, Parcel 17)

By: _____(SEAL)

Name: _____

Title: _____

STATE OF _____)

) to-wit:

COUNTY/CITY OF _____)

The foregoing Proffer Statement was acknowledged before me this _____ day of _____, 2008, by _____, as _____ of K. Hovnanian Homes of Virginia, Inc.

Notary Public

My Commission Expires: _____

ANGLER BROADLANDS LLC
a Virginia limited liability company
(owner of TM 78, Parcel 14)

By: _____(SEAL)

Name: _____

Title: _____

STATE OF _____)

) to-wit:

COUNTY/CITY OF _____)

The foregoing Proffer Statement was acknowledged before me this _____ day of _____, 2008, by _____, as _____ of Angler Broadlands LLC.

Notary Public

My Commission Expires: _____

EVAN ALFORD
(owner of TM 78, Parcel 14B)

STATE OF _____)

) to-wit:

COUNTY/CITY OF _____)

The foregoing Proffer Statement was acknowledged before me this _____ day of _____, 2008, by Evan Alford.

Notary Public

My Commission Expires: _____

ANDREW LAWLESS, IV
(owner of TM 78, Parcel 16)

STATE OF _____)

) to-wit:

COUNTY/CITY OF _____)

The foregoing Proffer Statement was acknowledged before me this _____ day of _____, 2008, by Andrew Lawless, IV.

Notary Public

My Commission Expires: _____

YVETTE LAWLESS
(owner of TM 78, Parcel 16)

STATE OF _____)

) to-wit:

COUNTY/CITY OF _____)

The foregoing Proffer Statement was acknowledged before me this _____ day of _____, 2008, by Yvette Lawless.

Notary Public

My Commission Expires: _____

EXHIBIT A

**BELMONT OVERLOOK
CONCEPT DEVELOPMENT PLAN**

EXHIBIT B

ZONING ORDINANCE MODIFICATIONS

1. R-8 DISTRICT PRIVATE STREET MODIFICATION

Zoning Ordinance Requirement to be Modified: R-8 Single-Family Residential District

"Section 3-511 Development Setback and Access from Major Roads. (A) Private Streets. Roads, serving townhouse and multifamily uses only, may be designed and constructed to private street standards set forth in the Facilities Standards Manual, provided the following conditions are met:"

Proposed Modification

The roads serving the attached duplex, quadraplex units and the existing telecommunications tower may be designed and constructed to private street standards set forth in the Facilities Standards Manual, provided the conditions listed in Section 3-511(A) are met.

2. PD-H DISTRICT PRIVATE STREET MODIFICATION

Zoning Ordinance Requirement to be Modified: Planned Development – Housing District

"Section 4-110 Site Planning – Internal Relationships. The PD-H district shall provide the following: (B) .. Roads serving townhouse and multifamily uses only may be designed and constructed to private street standards set forth in the Facilities Standards Manual, provided the following conditions are met:"

Proposed Modification

The roads serving the attached duplex, quadraplex units and the existing telecommunications tower may be designed and constructed to private street standards set forth in the Facilities Standards Manual, provided the three conditions listed in Section 4-110(B) are met.

3. R-8 DISTRICT PERIMETER OPEN SPACE BUFFER MODIFICATION

Zoning Ordinance Requirement to be Modified: R-8 Single-Family Residential District

"Section 3-509 Additional Development Standards (C) Minimum Buffer. A permanent common open space buffer of fifty (50) feet and a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 6,000 square feet or greater. Such buffer area may be included in open space calculations."

Proposed Modification

The perimeter open space buffer on the south side of Alford Road may be a minimum width of thirty (30) feet with an enhanced Type 2 Buffer Yard (3 canopy trees, 2 understory trees, 10 shrubs and 4 evergreen trees per 100 lineal feet) to allow a minimum setback of thirty (30) feet around the forested wetland area to the south of Alford Road identified on the CDP.

4. PD-H DISTRICT PERIMETER OPEN SPACE BUFFER MODIFICATION

Zoning Ordinance Requirement to be Modified: Planned Development – Housing District

“Section 4-109 Site Planning-External Relationships. (C) Uses adjacent to single-family, agricultural, or residential districts or land bays allowing residential uses..... (2) A permanent open space buffer along such perimeter at least fifty (50) feet in width, landscaped with a Type 2 Buffer Yard.”

Proposed Modification

The perimeter open space buffer on the south side of Alford Road may be a minimum width of thirty (30) feet with an enhanced Type 2 Buffer Yard (3 canopy trees, 2 understory trees, 10 shrubs and 4 evergreen trees per 100 lineal feet) to allow a minimum setback of thirty (30) feet around the forested wetland area to the south of Alford Road identified on the CDP.